

HOUSE BILL No. 1153

DIGEST OF HB 1153 (Updated February 25, 1999 6:24 pm - DI 77)

Citations Affected: IC 16-36; IC 25-1; IC 25-23.6; noncode.

Synopsis: Alcohol and drug abuse counselors. Creates the alcohol and drug abuse counselor section of the social worker, marriage and family therapist, mental health counselor, and alcohol and drug abuse counselor board. Sets qualifications for licensed clinical alcohol and drug abuse counselors and licensed alcohol and drug abuse counselors. Provides that prohibitions on the unlicensed practice of alcohol and drug abuse counseling do not apply to physicians, nurses, psychologists, clergy members, volunteers for or employees of nonprofit organizations under certain circumstances, marriage and family therapists, social workers, mental health counselors, licensed alcohol and drug abuse counselors practicing under direct supervision government employees, and students, interns, and trainees. Prohibits the use of certain titles. Makes the unlicensed practice of alcohol and drug abuse counseling a Class A misdemeanor. Prohibits alcohol and

(Continued next page)

Effective: July 1, 1999; January 1, 2001.

**Goeglein, Brown C, Klinker,
Scholer**

January 6, 1999, read first time and referred to Committee on Public Health.
March 1, 1999, amended, reported — Do Pass.

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Digest Continued

drug abuse counselors from practicing hypnosis and from counseling for the purpose of recovering a memory. Makes conforming amendments.

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HB 1153—LS 6790/DI 101+



March 2, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

HOUSE BILL No. 1153

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 16-36-1.5-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 2. As used in this
3 chapter, "mental health provider" means any of the following:

4 (1) A registered nurse or licensed practical nurse licensed under
5 IC 25-23.

6 (2) A clinical social worker licensed under IC 25-23.6-5.

7 (3) A marriage and family therapist licensed under IC 25-23.6-8.

8 (4) A psychologist licensed under IC 25-33.

9 (5) A school psychologist licensed by the Indiana state board of
10 education.

11 **(6) An alcohol and drug abuse counselor licensed under**
12 **IC 25-23.6-12.**

13 ~~(7)~~ (7) An individual who claims to be a mental health provider.

14 SECTION 2. IC 25-1-2-6 IS AMENDED TO READ AS FOLLOWS
15 [EFFECTIVE JANUARY 1, 2001]: Sec. 6. (a) As used in this section,

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"license" includes all occupational and professional licenses, registrations, permits, and certificates issued under the Indiana Code, and "licensee" includes all occupational and professional licensees, registrants, permittees, and certificate holders regulated under the Indiana Code.

(b) This section applies to the following entities that regulate occupations or professions under the Indiana Code:

- (1) Indiana board of accountancy.
- (2) Indiana grain buyers and warehouse licensing agency.
- (3) Indiana auctioneer commission.
- (4) Board of registration for architects.
- (5) State board of barber examiners.
- (6) State board of cosmetology examiners.
- (7) Medical licensing board of Indiana.
- (8) Secretary of state.
- (9) State board of dental examiners.
- (10) State board of funeral and cemetery service.
- (11) Worker's compensation board of Indiana.
- (12) Indiana state board of health facility administrators.
- (13) Committee of hearing aid dealer examiners.
- (14) Indiana state board of nursing.
- (15) Indiana optometry board.
- (16) Indiana board of pharmacy.
- (17) Indiana plumbing commission.
- (18) Board of podiatric medicine.
- (19) Private detectives licensing board.
- (20) State board of registration for professional engineers.
- (21) Board of environmental health specialists.
- (22) State psychology board.
- (23) Indiana real estate commission.
- (24) Speech-language pathology and audiology board.
- (25) Department of natural resources.
- (26) State boxing commission.
- (27) Board of chiropractic examiners.
- (28) Mining board.
- (29) Indiana board of veterinary medical examiners.
- (30) State department of health.
- (31) Indiana physical therapy committee.
- (32) Respiratory care committee.
- (33) Occupational therapy committee.
- (34) Social worker, marriage and family therapist, ~~and~~ mental health counselor, **and alcohol and drug abuse counselor** board.



- (35) Real estate appraiser licensure and certification board.
- (36) State board of registration for land surveyors.
- (37) Physician assistant committee.
- (38) Indiana dietitians certification board.
- (39) Indiana hypnotist committee.
- (40) Any other occupational or professional agency created after June 30, 1981.

(c) Notwithstanding any other law, the entities included in subsection (b) shall send a notice of the upcoming expiration of a license to each licensee at least sixty (60) days prior to the expiration of the license. The notice must inform the licensee of the need to renew and the requirement of payment of the renewal fee. If this notice of expiration is not sent by the entity, the licensee is not subject to a sanction for failure to renew if, once notice is received from the entity, the license is renewed within forty-five (45) days of the receipt of the notice.

SECTION 3. IC 25-1-5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 3. (a) There is established the health professions bureau. The bureau shall perform all administrative functions, duties, and responsibilities assigned by law or rule to the executive director, secretary, or other statutory administrator of the following:

- (1) Board of chiropractic examiners (IC 25-10-1).
- (2) State board of dental examiners (IC 25-14-1).
- (3) Indiana state board of health facility administrators (IC 25-19-1).
- (4) Medical licensing board of Indiana (IC 25-22.5-2).
- (5) Indiana state board of nursing (IC 25-23-1).
- (6) Indiana optometry board (IC 25-24).
- (7) Indiana board of pharmacy (IC 25-26).
- (8) Board of podiatric medicine (IC 25-29-2-1).
- (9) Board of environmental health specialists (IC 25-32).
- (10) Speech-language pathology and audiology board (IC 25-35.6-2).
- (11) State psychology board (IC 25-33).
- (12) Indiana board of veterinary medical examiners (IC 15-5-1.1).
- (13) Controlled substances advisory committee (IC 35-48-2-1).
- (14) Committee of hearing aid dealer examiners (IC 25-20).
- (15) Indiana physical therapy committee (IC 25-27).
- (16) Respiratory care committee (IC 25-34.5).
- (17) Occupational therapy committee (IC 25-23.5).
- (18) Social worker, marriage and family therapist, and mental



health counselor, **and alcohol and drug abuse counselor** board
(IC 25-23.6).

(19) Physician assistant committee (IC 25-27.5).

(20) Indiana athletic trainers board (IC 25-5.1-2-1).

(21) Indiana dietitians certification board (IC 25-14.5-2-1).

(22) Indiana hypnotist committee (IC 25-20.5-1-7).

(b) Nothing in this chapter may be construed to give the bureau
policy making authority, which authority remains with each board.

SECTION 4. IC 25-1-7-1 IS AMENDED TO READ AS FOLLOWS
[EFFECTIVE january 1, 2001]: Sec. 1. As used in this chapter:

"Board" means the appropriate agency listed in the definition of
regulated occupation in this section.

"Director" refers to the director of the division of consumer
protection.

"Division" refers to the division of consumer protection, office of
the attorney general.

"Licensee" means a person who is:

(1) licensed, certified, or registered by a board listed in this
section; and

(2) the subject of a complaint filed with the division.

"Person" means an individual, a partnership, a limited liability
company, or a corporation.

"Regulated occupation" means an occupation in which a person is
licensed, certified, or registered by one (1) of the following:

(1) Indiana board of accountancy (IC 25-2.1-2-1).

(2) Board of registration for architects (IC 25-4-1-2).

(3) Indiana auctioneer commission (IC 25-6.1-2-1).

(4) State board of barber examiners (IC 25-7-5-1).

(5) State boxing commission (IC 25-9-1).

(6) Board of chiropractic examiners (IC 25-10-1).

(7) State board of cosmetology examiners (IC 25-8-3-1).

(8) State board of dental examiners (IC 25-14-1).

(9) State board of funeral and cemetery service (IC 25-15-9).

(10) State board of registration for professional engineers
(IC 25-31-1-3).

(11) Indiana state board of health facility administrators
(IC 25-19-1).

(12) Medical licensing board of Indiana (IC 25-22.5-2).

(13) Indiana state board of nursing (IC 25-23-1).

(14) Indiana optometry board (IC 25-24).

(15) Indiana board of pharmacy (IC 25-26).

(16) Indiana plumbing commission (IC 25-28.5-1-3).



- 1 (17) Board of podiatric medicine (IC 25-29-2-1).
- 2 (18) Board of environmental health specialists (IC 25-32-1).
- 3 (19) State psychology board (IC 25-33).
- 4 (20) Speech-language pathology and audiology board
- 5 (IC 25-35.6-2).
- 6 (21) Indiana real estate commission (IC 25-34.1-2).
- 7 (22) Indiana board of veterinary medical examiners (IC 15-5-1.1).
- 8 (23) Department of natural resources for purposes of licensing
- 9 water well drillers under IC 25-39-3.
- 10 (24) Respiratory care committee (IC 25-34.5).
- 11 (25) Private detectives licensing board (IC 25-30-1-5.1).
- 12 (26) Occupational therapy committee (IC 25-23.5).
- 13 (27) Social worker, marriage and family therapist, **and** mental
- 14 health counselor, **and alcohol and drug abuse counselor** board
- 15 (IC 25-23.6).
- 16 (28) Real estate appraiser licensure and certification board
- 17 (IC 25-34.1-8).
- 18 (29) State board of registration for land surveyors
- 19 (IC 25-21.5-2-1).
- 20 (30) Physician assistant committee (IC 25-27.5).
- 21 (31) Indiana athletic trainers board (IC 25-5.1-2-1).
- 22 (32) Indiana dietitians certification board (IC 25-14.5-2-1).
- 23 (33) Indiana hypnotist committee (IC 25-20.5-1-7).
- 24 (34) Indiana physical therapy committee (IC 25-27).
- 25 (35) Any other occupational or professional agency created after
- 26 June 30, 1981.
- 27 SECTION 5. IC 25-1-8-1 IS AMENDED TO READ AS FOLLOWS
- 28 [EFFECTIVE JANUARY 1, 2001]: Sec. 1. As used in this chapter,
- 29 "board" means any of the following:
- 30 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 31 (2) Board of registration for architects (IC 25-4-1-2).
- 32 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- 33 (4) State board of barber examiners (IC 25-7-5-1).
- 34 (5) State boxing commission (IC 25-9-1).
- 35 (6) Board of chiropractic examiners (IC 25-10-1).
- 36 (7) State board of cosmetology examiners (IC 25-8-3-1).
- 37 (8) State board of dental examiners (IC 25-14-1).
- 38 (9) State board of funeral and cemetery service (IC 25-15).
- 39 (10) State board of registration for professional engineers
- 40 (IC 25-31-1-3).
- 41 (11) Indiana state board of health facility administrators
- 42 (IC 25-19-1).



- 1 (12) Medical licensing board of Indiana (IC 25-22.5-2).
- 2 (13) Mining board (IC 22-10-1.5-2).
- 3 (14) Indiana state board of nursing (IC 25-23-1).
- 4 (15) Indiana optometry board (IC 25-24).
- 5 (16) Indiana board of pharmacy (IC 25-26).
- 6 (17) Indiana plumbing commission (IC 25-28.5-1-3).
- 7 (18) Board of environmental health specialists (IC 25-32-1).
- 8 (19) State psychology board (IC 25-33).
- 9 (20) Speech-language pathology and audiology board
- 10 (IC 25-35.6-2).
- 11 (21) Indiana real estate commission (IC 25-34.1-2-1).
- 12 (22) Indiana board of veterinary medical examiners
- 13 (IC 15-5-1.1-3).
- 14 (23) Department of insurance (IC 27-1).
- 15 (24) State police department (IC 10-1-1-1), for purposes of
- 16 certifying polygraph examiners under IC 25-30-2.
- 17 (25) Department of natural resources for purposes of licensing
- 18 water well drillers under IC 25-39-3.
- 19 (26) Private detectives licensing board (IC 25-30-1-5.1).
- 20 (27) Occupational therapy committee (IC 25-23.5-2-1).
- 21 (28) Social worker, marriage and family therapist, ~~and~~ mental
- 22 health counselor, **and alcohol and drug abuse counselor** board
- 23 (IC 25-23.6-2-1).
- 24 (29) Real estate appraiser licensure and certification board
- 25 (IC 25-34.1-8).
- 26 (30) State board of registration for land surveyors
- 27 (IC 25-21.5-2-1).
- 28 (31) Physician assistant committee (IC 25-27.5).
- 29 (32) Indiana athletic trainers board (IC 25-5.1-2-1).
- 30 (33) Board of podiatric medicine (IC 25-29-2-1).
- 31 (34) Indiana dietitians certification board (IC 25-14.5-2-1).
- 32 (35) Indiana physical therapy committee (IC 25-27).
- 33 (36) Any other occupational or professional agency created after
- 34 June 30, 1981.
- 35 SECTION 6. IC 25-1-9-1 IS AMENDED TO READ AS FOLLOWS
- 36 [EFFECTIVE JANUARY 1, 2001]: Sec. 1. As used in this chapter,
- 37 "board" means any of the following:
- 38 (1) Board of chiropractic examiners (IC 25-10-1).
- 39 (2) State board of dental examiners (IC 25-14-1).
- 40 (3) Indiana state board of health facility administrators
- 41 (IC 25-19-1).
- 42 (4) Medical licensing board of Indiana (IC 25-22.5-2).



- (5) Indiana state board of nursing (IC 25-23-1).
- (6) Indiana optometry board (IC 25-24).
- (7) Indiana board of pharmacy (IC 25-26).
- (8) Board of podiatric medicine (IC 25-29-2-1).
- (9) Board of environmental health specialists (IC 25-32).
- (10) Speech-language pathology and audiology board (IC 25-35.6-2).
- (11) State psychology board (IC 25-33).
- (12) Indiana board of veterinary medical examiners (IC 15-5-1.1).
- (13) Indiana physical therapy committee (IC 25-27-1).
- (14) Respiratory care committee (IC 25-34.5).
- (15) Occupational therapy committee (IC 25-23.5).
- (16) Social worker, marriage and family therapist, ~~and~~ mental health counselor, **and alcohol and drug abuse counselor** board (IC 25-23.6).
- (17) Physician assistant committee (IC 25-27.5).
- (18) Indiana athletic trainers board (IC 25-5.1-2-1).
- (19) Indiana dietitians certification board (IC 25-14.5-2-1).
- (20) Indiana hypnotist committee (IC 25-20.5-1-7).

SECTION 7. IC 25-23.6-1-1.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: **Sec. 1.3. "Alcohol and drug abuse counselor" means an individual engaged in the practice of alcohol and drug abuse counseling.**

SECTION 8. IC 25-23.6-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 2. "Board" refers to the social worker, marriage and family therapist, ~~and~~ mental health counselor, and **alcohol and drug abuse counselor** board.

SECTION 9. IC 25-23.6-1-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: **Sec. 3.5. "Core functions of alcohol and drug abuse counseling" refers to the following functions performed by alcohol and drug abuse counselors in the rendering of services to abusers of alcohol and drugs:**

- (1) Screening.
- (2) Intake.
- (3) Orientation.
- (4) Assessment.
- (5) Treatment planning.
- (6) Counseling.
- (7) Case management.
- (8) Crisis intervention.



(9) Client education.

(10) Referral.

(11) Report and record keeping.

(12) Consultation with other professionals.

SECTION 10. IC 25-23.6-1-3.8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 3.8. Except as provided in IC 25-23.6-7-5, as used in this chapter, "counselor" refers to a social worker, clinical social worker, **alcohol and drug abuse counselor**, marriage and family therapist, or a mental health counselor who is licensed under this article.

SECTION 11. IC 25-23.6-1-3.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 3.9. "Government employee" means an individual employed by the office of the secretary of family and social services, the division of family and children, the division of mental health, the division of disability, aging, and rehabilitative services, the department of correction, or the state department of health in one (1) of the following classifications:

- (1) 2AA3 Behavioral clinician 3.
- (2) 2AA4 Behavioral clinician 4.
- (3) 2AA5 Clinical associate 5.
- (4) 2FL1 Mental health administrator 1.
- (5) 2FL2 Mental health administrator 2.
- (6) 2FL3 Mental health administrator 3.
- (7) 2AN3 Substance abuse counselor 3.
- (8) 2AN4 Substance abuse counselor 4.
- (9) 2AN5 Substance abuse counselor 5.
- (10) 2AH2 Social services specialist 2.
- (11) 2AH3 Social services specialist 3.
- (12) 2AH4 Social services specialist 4.
- (13) 2AI1 Psychiatric services director 1.
- (14) 2AE2 Psychiatric social services specialist 2.
- (15) 2AE3 Psychiatric social services specialist 3.

SECTION 12. IC 25-23.6-1-4.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 4.2. "Licensed alcohol and drug abuse counselor" means an individual engaged in the limited practice of alcohol and drug abuse counseling under the direct supervision of a licensed clinical alcohol and drug abuse counselor in a program certified by the division of mental health under IC 12-23.

SECTION 13. IC 25-23.6-1-4.4 IS ADDED TO THE INDIANA



CODE AS A NEW SECTION TO READ AS FOLLOWS
[EFFECTIVE JANUARY 1, 2001]: **Sec. 4.4. "Licensed clinical alcohol and drug abuse counselor"** means an individual engaged in the unlimited practice of alcohol and drug abuse counseling.

SECTION 14. IC 25-23.6-1-5.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS
[EFFECTIVE JANUARY 1, 2001]: **Sec. 5.7. "Practice of alcohol and drug abuse counseling"** means professional services that are designed to assist abusers of alcohol and drugs in gaining an understanding of the nature of their disorder and in leading a responsible lifestyle free from alcohol and drug abuse. The practice includes the following services:

- (1) Using the core functions of alcohol and drug abuse counseling.
- (2) Providing counseling to family members to help them gain an understanding of the nature of alcohol and drug abuse.
- (3) Making referrals to other qualified professionals when appropriate.

SECTION 15. IC 25-23.6-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 1. The social worker, marriage and family therapist, ~~and~~ mental health counselor, **and alcohol and drug abuse counselor** board is established.

SECTION 16. IC 25-23.6-2-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 2. (a) The board consists of ~~nine (9)~~ **eleven (11)** members appointed by the governor for terms of three (3) years. The board must include the following:

- (1) Two (2) marriage and family therapists who:
 - (A) have at least a master's degree in marriage and family therapy or a related field from an institution of higher learning;
 - (B) are licensed under this chapter; and
 - (C) have five (5) years of experience in marriage and family therapy.
- (2) One (1) social worker who:
 - (A) has at least a master's degree in social work from an institution of higher education accredited by the Council on Social Work Education;
 - (B) is licensed under this article; and
 - (C) has at least five (5) years of experience as a social worker.
- (3) One (1) social services director of a hospital with a social work degree who has at least three (3) years of experience in a hospital setting.
- (4) Two (2) mental health counselors who:



- 1 (A) have at least a master's degree in mental health
 2 counseling;
 3 (B) are licensed under this article; and
 4 (C) have at least five (5) years experience as a mental health
 5 counselor.
 6 (5) Two (2) consumers who have never been credentialed under
 7 this article.
 8 (6) One (1) physician licensed under IC 25-22.5 who has training
 9 in psychiatric medicine.
 10 **(7) Two (2) clinical alcohol and drug abuse counselors who:**
 11 **(A) are licensed under this article; and**
 12 **(B) have at least five (5) years experience as clinical alcohol**
 13 **and drug abuse counselors.**
 14 (b) Not more than ~~five (5)~~ **six (6)** members of the board may be
 15 from the same political party.
 16 SECTION 17. IC 25-23.6-2-8 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 8. (a) The board
 18 shall adopt rules under IC 4-22-2 establishing standards for the
 19 following:
 20 (1) The competent practice of marriage and family therapy, social
 21 work, clinical social work, ~~and~~ mental health counseling, **and**
 22 **alcohol and drug abuse counseling.**
 23 (2) The renewal of licenses issued under this article.
 24 (3) Standards for the administration of this article.
 25 (4) Continuing education requirements for an individual seeking
 26 renewal of licensure as a social worker, clinical social worker, ~~or~~
 27 marriage and family therapist, **clinical alcohol and drug abuse**
 28 **counselor, or alcohol and drug abuse counselor.**
 29 (5) The retention of patient records and reports by a counselor.
 30 (6) The approval of continuing education providers, programs,
 31 courses, fees, and proof of course completion.
 32 (b) The board shall establish fees under IC 25-1-8-2.
 33 (c) The board shall do the following:
 34 (1) Consider the qualifications of individuals who apply for a
 35 license under this article.
 36 (2) Provide for examinations required under this article.
 37 (3) Renew licenses under this article.
 38 (4) Conduct proceedings under IC 25-1-9.
 39 SECTION 18. IC 25-23.6-2-10.6 IS ADDED TO THE INDIANA
 40 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 41 [EFFECTIVE JANUARY 1, 2001]: **Sec. 10.6. (a) The alcohol and**
 42 **drug abuse counselor section of the board is established. The**



section consists of the following:

(1) Two (2) licensed clinical alcohol and drug abuse counselor members of the board.

(2) Two (2) consumer members of the board.

(3) One (1) physician member of the board.

(b) Three (3) members of the alcohol and drug abuse counselor section, two (2) of whom must be licensed clinical alcohol and drug abuse counselors, constitute a quorum.

SECTION 19. IC 25-23.6-2-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 11. The social worker, marriage and family therapist, ~~and~~ mental health counselor, **and alcohol and drug abuse counselor** sections of the board shall do the following:

(1) Approve continuing education courses authorized under this article.

(2) Propose rules to the board concerning the practice of the profession regulated by each section.

(3) Other duties as directed by the board.

SECTION 20. IC 25-23.6-12 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]:

Chapter 12. Alcohol and Drug Abuse Counselor Licensure

Sec. 1. The board shall, with the advice of the alcohol and drug abuse counselor section, establish standards for the practice of alcohol and drug abuse counseling, including privileges, penalties, and appropriate scope of practice within the field of alcohol and drug abuse counseling for individuals who are licensed as clinical alcohol and drug abuse counselors or alcohol and drug abuse counselors.

Sec. 2. Except as provided in section 7 of this chapter, to qualify for a clinical alcohol and drug abuse counselor license under this article, an individual must satisfy the following requirements:

(1) Complete an application for licensure in accordance with the rules adopted by the board.

(2) Pay the fees established by the board.

(3) Not have been convicted of a crime that has a direct bearing on the applicant's ability to practice competently as determined by the board.

(4) Not have had disciplinary action taken against the applicant or the applicant's license by the board or by a licensing agency of another state or jurisdiction on grounds that the applicant was unable to safely practice alcohol and



1 drug abuse counseling, when the grounds for discipline are
2 still valid as determined by the board.

3 (5) Show to the satisfaction of the board that the applicant
4 has:

5 (A) received at least a master's degree in alcohol and drug
6 abuse counseling, marriage and family therapy, pastoral
7 counseling, social work, applied human development,
8 psychology, or nursing from an:

9 (i) institution of higher learning with degree programs
10 acceptable to the board; or

11 (ii) educational institution not located in the United
12 States that has a program of study that meets the
13 standards of the board;

14 (B) passed nationally standardized written and oral
15 examinations in alcohol and drug abuse counseling
16 approved by the board;

17 (C) submitted documentation of three (3) years (six
18 thousand (6,000) hours) of supervised alcohol and drug
19 abuse counseling experience in the five (5) years before the
20 date of the application, including at least one (1) year in the
21 area of alcohol abuse counseling or its equivalent and at
22 least one (1) year in the area of drug abuse counseling or
23 its equivalent;

24 (D) submitted documentation of the completion of at least
25 three hundred (300) hours of an approved, supervised
26 practicum in alcohol and drug abuse counseling using the
27 core functions of alcohol and drug abuse counseling; and

28 (E) submitted documentation of the completion of at least
29 two hundred seventy (270) hours of formal training,
30 including at least ninety (90) hours in each of the following
31 areas:

32 (i) Alcohol abuse.

33 (ii) Drug abuse.

34 (iii) Counseling.

35 Sec. 3. Except as provided in section 7 of this chapter, to qualify
36 for an alcohol and drug abuse counselor license under this article,
37 an individual must satisfy the following requirements:

38 (1) Complete an application for licensure in accordance with
39 the rules adopted by the board.

40 (2) Pay the fees established by the board.

41 (3) Not have been convicted of a crime that has a direct
42 bearing on the applicant's ability to practice competently as



determined by the board.

(4) Not have had disciplinary action taken against the applicant or the applicant's license by the board or by a licensing agency of another state or jurisdiction on grounds that the applicant was unable to safely practice alcohol and drug abuse counseling, when the grounds for discipline are still valid as determined by the board.

(5) Show to the satisfaction of the board that the applicant has:

(A) received at least a bachelor's degree in alcohol and drug abuse counseling, social work, applied human development, psychology, nursing, or other degree program acceptable to the board from an:

(i) institution of higher learning with degree programs acceptable to the board; or

(ii) educational institution not located in the United States that has a program of study that meets the standards of the board;

(B) passed nationally standardized written and oral examinations in alcohol and drug abuse counseling approved by the board;

(C) submitted documentation of two (2) years (four thousand (4,000) hours) of supervised counseling experience;

(D) submitted documentation of the completion of at least one hundred eighty (180) hours of formal training in alcohol and drug abuse counseling; and

(E) submitted documentation of the completion of at least two hundred twenty (220) hours of an approved, supervised practicum in alcohol and drug abuse counseling using the core functions of alcohol and drug abuse counseling.

Sec. 4. (a) An individual may not:

(1) profess to be a licensed clinical alcohol and drug abuse counselor or a licensed alcohol and drug abuse counselor;

(2) use the title:

(A) "licensed clinical alcohol and drug abuse counselor";

(B) "licensed alcohol and drug abuse counselor"; or

(C) "clinical alcohol and drug abuse counselor";

(3) use any other title containing the words "licensed clinical alcohol and drug abuse counselor" or "licensed alcohol and drug abuse counselor";



(4) use any other words, letters, abbreviations, or insignia indicating or implying that the individual is a licensed clinical alcohol and drug abuse counselor or licensed alcohol and drug abuse counselor; or

(5) practice as a licensed clinical alcohol and drug abuse counselor or licensed alcohol and drug abuse counselor;

unless the individual is licensed under this article as a clinical alcohol and drug abuse counselor or an alcohol and drug abuse counselor.

(b) This chapter may not be construed to limit the alcohol and drug abuse counseling services performed by a person who does not use a title specified in this chapter and who is one (1) of the following:

(1) A physician licensed under IC 25-22.5.

(2) A nurse licensed under IC 25-23.

(3) A psychologist licensed under IC 25-33.

(4) A rabbi, priest, Christian Science practitioner, minister, or other member of the clergy.

(5) An employee of or a volunteer for a nonprofit corporation or an organization performing charitable, religious, or educational functions or providing pastoral counseling or other assistance.

(6) A marriage and family therapist, a social worker, or a mental health counselor licensed under this article.

(7) A licensed alcohol and drug abuse counselor practicing under the direct supervision of:

(A) a clinical alcohol and drug abuse counselor;

(B) a physician licensed under IC 25-22.5; or

(C) a psychologist licensed under IC 25-33;

unless the licensed alcohol and drug abuse counselor conducts testing for appraisal or evaluation purposes.

(8) A government employee.

(9) A student, an intern, or a trainee pursuing a course of study to gain licensure under this article in an accredited institution of higher education or a training institution approved by the board, or a graduate accumulating experience required for licensure, if the services are performed under qualified supervision and constitute a part of the person's supervised course of study or other level of supervision.

(c) An individual who knowingly or intentionally violates this section commits a Class A misdemeanor.



1 **Sec. 5. (a) A license issued by the board is valid for the**
 2 **remainder of the renewal period in effect on the date the license**
 3 **was issued.**

4 **(b) An individual may renew a license by:**

5 **(1) paying a renewal fee on or before the expiration date of**
 6 **the license; and**

7 **(2) completing the continuing education requirements**
 8 **established by the board under IC 25-23.6-2-8.**

9 **(c) If an individual fails to meet the requirements of subsection**
 10 **(b), the license becomes invalid.**

11 **Sec. 6. (a) The board may reinstate an expired license up to**
 12 **three (3) years after the expiration date of the license if the**
 13 **individual holding the expired license:**

14 **(1) pays a penalty fee for late renewal;**

15 **(2) pays the renewal fee under section 5(b) of this chapter;**
 16 **and**

17 **(3) completes the continuing education requirement.**

18 **(b) If more than three (3) years have elapsed since the date a**
 19 **license expired, the individual holding the license may renew the**
 20 **license by satisfying the requirements for renewal established by**
 21 **the board.**

22 **Sec. 7. An applicant may, upon the payment of a fee established**
 23 **by the board, be granted a license if the applicant submits**
 24 **satisfactory evidence to the board that the applicant has been**
 25 **authorized to practice alcohol and drug abuse counseling in**
 26 **another state or country and has qualifications substantially**
 27 **equivalent to those specified in this chapter for the license sought**
 28 **by the applicant.**

29 **Sec. 8. (a) This section applies to a licensed:**

30 **(1) clinical alcohol and drug abuse counselor; and**

31 **(2) alcohol and drug abuse counselor.**

32 **(b) An individual described in subsection (a) may not practice:**

33 **(1) counseling for the purpose of recovering a memory; or**

34 **(2) hypnosis unless the counselor is certified under IC 25-20.5.**

35 **SECTION 21. [EFFECTIVE JULY 1, 1999] (a) As used in this**
 36 **SECTION, "addiction specific education" means educational**
 37 **courses focused on alcohol abuse and drug abuse counseling.**

38 **(b) As used in this SECTION, "board" means the social worker,**
 39 **marriage and family therapist, mental health counselor, and**
 40 **alcohol and drug abuse counselor board established under**
 41 **IC 25-23.6-2-1, as amended by this act.**

42 **(c) As used in this SECTION, "case presentation examination"**



means an oral examination that assesses an individual's skill and competence in the application of the core functions of alcohol and drug abuse counseling.

(d) As used in this SECTION, "personal recovery" means an ongoing attempt by an individual to recover from alcohol abuse or drug abuse, or both.

(e) As used in this SECTION, "voluntary services in alcohol and drug abuse counseling" means the activities of a group of individuals who voluntarily offer peer support to one another in the process of recovering from alcohol abuse or drug abuse, or both.

(f) Notwithstanding IC 25-23.6-12, as added by this act, the board established under IC 25-23.6-2-1, as amended by this act, may license an individual as a clinical alcohol and drug abuse counselor if the individual satisfies one of the following:

(1) The individual has demonstrated competency in the field of alcohol and drug abuse counseling as determined by the alcohol and drug abuse counselor section of the board and has:

(A) completed two thousand (2,000) hours of supervised alcohol and drug abuse counseling, including at least fifteen (15) hours in each of the core functions of alcohol and drug abuse counseling;

(B) completed five (5) years of personal recovery and one thousand five hundred (1,500) hours of supervised alcohol and drug abuse counseling;

(C) completed two thousand (2,000) hours of voluntary services in alcohol and drug abuse counseling, including at least fifteen (15) hours in each of the core functions of alcohol and drug abuse counseling;

(D) completed ninety (90) hours of addiction specific education;

(E) passed the case presentation examination; or

(F) passed nationally standardized written and oral examinations in alcohol and drug abuse counseling approved by the board.

(2) The individual has:

(A) a bachelor's degree;

(B) at least three (3) years of experience in alcohol and drug abuse counseling; and

(C) completed a practicum approved by the alcohol and drug abuse counselor section of the board of at least three



- 1 hundred (300) hours of alcohol and drug abuse counseling.
- 2 (3) The individual has:
- 3 (A) at least six (6) years of experience in alcohol and drug
- 4 abuse counseling; and
- 5 (B) completed a practicum approved by the alcohol and
- 6 drug abuse counselor section of the board of at least three
- 7 hundred (300) hours of alcohol and drug abuse counseling.
- 8 (g) This SECTION expires July 1, 2001.
- 9 SECTION 22. [EFFECTIVE JULY 1, 1999] (a) As used in this
- 10 SECTION, "board" means the social worker, marriage and family
- 11 therapist, mental health counselor, and alcohol and drug abuse
- 12 counselor board established under IC 25-23.6-2-1, as amended by
- 13 this act.
- 14 (b) Notwithstanding IC 25-23.6-2-2, as amended by this act, the
- 15 governor shall appoint the initial clinical alcohol and drug abuse
- 16 counselor members of the board before September 1, 1999, for
- 17 terms expiring as follows:
- 18 (1) One (1) clinical alcohol and drug abuse counselor member
- 19 for a term expiring June 30, 2001.
- 20 (2) One (1) clinical alcohol and drug abuse counselor member
- 21 for a term expiring June 30, 2002.
- 22 (c) Not more than six (6) members of the board may be from the
- 23 same political party.
- 24 (d) This SECTION expires July 1, 2002.

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